

12VAC30-10-441. Medicaid Agency Fraud Detection and Investigation Program.

The Medicaid agency has established a mechanism to receive reports from beneficiaries and others and compile data concerning alleged instances of waste, fraud, and abuse relating to the operation of this title.

CERTIFIED:

August 20, 1999
Date

/s/ Dennis G. Smith
Dennis G. Smith, Director
Dept. of Medical Assistance Services

12VAC30-10-490. Free choice of providers.

A. Except as provided in paragraph B, the Medicaid agency assures that an individual eligible under the plan may obtain Medicaid services from any institution, agency, pharmacy, person or organization that is qualified to perform the services, including an organization that provides these services or arranges for their availability on a prepayment basis.

B. Paragraph A does not apply to services furnished to an individual:

1. Under an exception allowed under 42 CFR 431.54, subject to the limitations in paragraph C, ~~or~~

2. Under a waiver approved under 42 CFR 431.55, subject to the limitations in paragraph C, ~~or~~

3. By an individual or entity excluded from participation in accordance with Section 1902(p) of the Act, or.

4. By individuals or entities who have been convicted of a felony under Federal or state law and for which the State determines that the offense is inconsistent with the best interests of the individual eligible to obtain Medicaid services.

C. Enrollment of an individual eligible for medical assistance in a primary care case management system described in Section 1915(b)(1), a health maintenance organization, or a similar entity shall not restrict the choice of the qualified person from whom the individual may receive emergency services or services under Section 1905(a)(4)(c).

CERTIFIED:

August 20, 1999
Date

/s/ Dennis G. Smith
Dennis G. Smith, Director
Dept. of Medical Assistance Services

Statutory Authority

Social Security Act Title XIX; 42 CFR 430 to end; all other applicable statutory and regulatory sections.

Historical Notes

Derived from VR460-01-41, eff. June 16, 1993.

12VAC30-10-680. Conflict of interest provisions.

The Medicaid agency meets the requirements of §1902(a)(4)(C) of the Act concerning the prohibition against acts, with respect to any activity under the plan, that are prohibited by §§207 or 208 of Title 18, United States Code.

The Medicaid agency meets the requirements of § 1902(a)(4)(D) of the Act concerning the safeguards against conflicts of interest that are at least as stringent as the safeguards that apply under § 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423).

CERTIFIED:

August 20, 1999
Date

/s/ Dennis G. Smith
Dennis G. Smith, Director
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